

MINUTES

MAINE WATER WELL COMMISSION

Wednesday, July 14, 2021

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Meetings via Zoom – link on webpage, MEDWP.COM → Professionals → Well Drillers Commission

### ATTENDEES:

#### Commission Members:

Dwight Doughty, (Chair)  
Hydrogeologist, DOT  
Daniel Locke  
Hydrogeologist, MGS  
William Dawson  
Chief Engineer, DWP

Mike Otley  
Public Member  
Frank Hegarty  
Master Well Driller

Joe Gallant  
Master Well Driller  
Glenn Dyer  
Master Well Driller

#### Guests:

Margaret Machaiek  
State of Maine, AAG

Stephen Palmer  
Guest, Owner

David Philbrook  
MWWC Well Inspector

#### Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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PROCEEDINGS: 9:03 AM

Review of Meeting Minutes:

Motion to accept the minutes from **June 9, 2021**

❖ **MOTION:** Glenn Dyer **2nd:** Mike Otley **VOTE:** Unanimous

Exam Applications:

1. PAUL KIMBLE_WD02280 – WD-J – APPROVED

Motion to Approve.

❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** unanimous

Specialty Well Applications – Commission Review:

NONE

Specialty Well Applications – In-House Approval:

1. BROCHU-BURNS – SWA
2. BUJOLD-GOODWIN – SWA
3. CAHALL-BURNS – SWA
4. DEROCHER-BURNS – SWA
5. DUTSON-BURNS – SWA
6. EWING-BOWIE – SWA
7. IONTA-TEMPLE – SWA
8. MULLER-TEMPLE – SWA
9. PINEO-SHANNON – SWA

Other Business:

1. Exams: **Thursday, August 12, 2021 @ 10am** at Key Bank Building, downtown Augusta
 - a. Eligible candidates have been notified by email

2. Issue: **Steve Palmer – “geothermal” well drilling**
 - a. Discussion: proposal of using leach field for heat source
 - b. System described does not meet definition of “closed-loop geothermal heat exchange well”, but for Subsurface Wastewater area or Environmental Protection Agency.
 - c. No borehole, therefore, no regulation by the Maine Water Well Commission.

3. Question: **Is there an age requirement written into the MWWC Rules and Regulations?**
 - a. Affordable Well Drilling – Heather, Office Clerk, posed the question and it seems that there is no age requirement written into the MWWC rules and regs.
 - b. The State of Maine Department of Labor age requirements for employment.
 - i. https://www.maine.gov/labor/labor_laws/publications/minorsguide.html
 - ii. May be employed for work beginning at age 16-17, and a work permit for minors under the age of 16. – “May work non-hazardous jobs...” ([DOL, 2021](#)).
 - iii. Must be age 18 to be an apprentice due to the hazardous work conditions.
 - c. 7-14-21, tabled for further investigation/research

4. Issue: **Fairway Independent Mortgage Corp, Vicki Garner – looking for information about the setback for a property in Maine**
 - a. Setback Reduction form submitted, but no Specialty Well Application
 - b. Meets the setback standards for the State of Maine, but not for HUD
 - c. 7-14-21, Bill Dawson – to send a letter to Burns Well Drilling Inc. and Fairview Mortgage.

COMPLAINTS:

HEGARTY-GAP MTN, Ryan Wragg – rcvd 5-12-21 – OPEN

- 5-12-21, Motion to table complaint and exam application until 6-9-21
 - o Locke/Otley – Unanimous; Frank Hegarty, recused from vote
- 6-11-21, Notice of Complaint sent
- 7-14-21, composed list of violations
 - o Driller/helper not licensed, no master on site, no vehicle decals/stickers, no response from Notice of Complaint sent (6-11-21), no report to MGS (Well Log), not licensed for Maine
 - o 7-14-21, Dwight will compile and disseminate violations

Motion to allow Ryan Wragg to sit for exam but hold licenses until other issues are resolved

- ❖ **MOTION:** Glenn Dyer **2nd:** Mike Otley **VOTE:** unanimous
 - o Frank Hegarty is recused from vote

Motion to fine Gap Mountain Drilling LLC for violations of the MWWC rules and regulations.

- ❖ **MOTION:** Mike Otley **2nd:** Glenn Dyer **VOTE:** unanimous
 - o Frank Hegarty is recused from vote

COMPLAINTS: Continuation

ROCK LIBBY: L&L Well Drilling – (654 South Rumford, Rumford, ME 04276)

I. Consent Agreement (I of II) - reviewed and to be voted for approval

6-9-21, Motion for finalizing Commission approval of Consent Agreement I, regarding the 645 South Rumford property.

- ❖ **MOTION**: Frank Hegarty **2nd**: Mike Otley **VOTE**: 3 yea, 3 recused
 - Glenn Dyer, Dwight Doughty, and Daniel Locke recused from vote

DYER-L&L – (654 S), complaint, received 6-23-20 – open

- 6-25-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint.
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

DOUGHTY-L&L – (654 S), complaint, received 6-10-20 - open

- 6-10-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

LOCKE-L&L – (654 S), complaint, received 5-4-20 - open

- 5-7-20 – Notice of Complaint, sent to Rock Libby and Anthony O’Connor
- 6-10-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty sent, L&L Well Drilling/Rock Libby

ROCK LIBBY: L&L Well Drilling – (RTE 108, Rumford, ME 04276)**LOCKE-L&L – (RTE 108), complaint, rcvd 12-9-20 - open**

- 12-17-20 – Notice of complaint sent
- Send 3rd Notice of Complaint before next meeting, 2-10-21

DENSMORE – L&L WELL DRILLING:

II. Consent Agreement (II of II) - reviewed and to be voted for approval

6-9-21, Motion for finalizing Commission approval of Consent Agreement I, regarding the Densmore property in Turner, Maine.

❖ **MOTION**: Mike Otley **2nd**: Frank Hegarty **VOTE**: Unanimous

DENSMORE-L&L – complaint, received 6-3-20 - open

- a. 6-4-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- b. 6-10-20 – Reviewed and discussed complaint.
- c. 10-14-20 – Discussed and assigned violations and penalties
- d. 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby
- e. 1-13-21 – Moving forward for small claims court

ANTHONY O’CONNOR:

I. Letter of Revocation – O’Connor

- a. 6-17-21, Notice of Revocation sent

LOCKE-OCONNOR (APPRENTICE) – (RTE 108), complaint, rcvd 12-9-20 - open

- a. 12-17-20 – Notice of complaint sent
- b. 1-27-21 – 3rd Notice of Complaint sent

LOCKE-OCONNOR (APPRENTICE) – (654 S), complaint, received 5-4-20 - open

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
- b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
- c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
- d. 1-27-21 – 3rd Notice of Complaint sent

DYER-OCONNOR (APPRENTICE) – (654 S), complaint, received 6-23-20 - open

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
- b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
- c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
- d. 1-27-21 – 3rd Notice of Complaint sent

Motion to Adjourn.

❖ **MOTION**: Glenn Dyer **2nd**: Mike Otley **VOTE**: Unanimous

ADJOURNMENT:

TIME: **10:37 AM**